

EMBASSY OF THE UNION OF SOVIET SOCIALIST REPUBLICS

Press Department

1706 18th Street N.W.

Washington, D.C.

THE POWERS TRIAL--I

On the morning of August 17 an open trial began in the Hall of Columns of the House of the Trade Unions in Moscow to consider the criminal case of spy-pilot Francis Gary Powers, citizen of the United States of America, committed for trial in accordance with Article 2 of the Law of the USSR "On Criminal Responsibility for State Crimes."

The case is being considered by the Military Collegium of the USSR Supreme Court under Presiding Judge V.V. Borisoglebsky, Lieutenant General of Justice and Chairman of the Military Collegium. The People's Assessors are D.Z. Vorobyov, Major General of the Artillery, and A.I. Zakharov, Major General of the Air Force. The secretary of the court is M.V. Afanasyev, Major of Administrative Service.

The State Prosecutor is R.A. Rudenko, State Counselor of Justice, Procurator General of the USSR.

Powers' counsel for the defense is M.I. Grinyov, member of the Moscow City Collegium of Lawyers.

Present in the hall are many representatives of the Soviet public, workers of Moscow factories, office workers and workers of science and culture.

Attending the trial are public figures and lawyers from various countries. Among them are Snehangshu Kanta Acharya, lawyer, Secretary General of the All-Indian Association of Democratic Lawyers; Elias Iliu, lawyer, member of the Greek Parliament; Christian Hagens, Danish lawyer; Lionel Dighes, Scottish lawyer; Horan von Bonsdorf, professor of law from Finland; Jean Kazalbau, professor from France; Maurice Cornille, Belgian lawyer; Paul Anterberg, Canadian lawyer; William Monteur, Samuel Saffir and Alexander Anders, Australian public figures; Konni Zilliakus, British Labor public figure; Charles Lederman, French lawyer; Daniel Mayer, French public figure, Chairman of the French League of Human Rights; Sliman ben Sliman, President of the Tunisian Committee of Struggle for Freedom and Peace; Oginda Odinga, Vice-President of the African National Union of Kenya; Afana Osendi (Cameroon), Secretary of the Afro-Asian Solidarity Committee; Isabelle Blum (Belgium), member of the Presidium of the World Peace Council; Mario Bariona (Italy), Secretary of the World Federation of Democratic Youth; Hermann Lofjenz (Chile), Secretary of the International Union of Students; Salyah Keru, Chairman of a Chamber of the Tunisian Court of Appeals; Olga Poblete (Chile), member of the World Peace Council; and Satish Chatterjee (India), representative of the World Federation of Trade Unions.

Present in the hall are members of the diplomatic corps, a group of tourists from the United States, and delegates of the World Congress of Orientalists just held in Moscow.

More than 140 foreign correspondents from almost 30 countries represent the largest news agencies, newspapers and other organs of the press as well as radio and television. The Soviet press is also widely represented.

Present in the hall are Powers' relatives: his father Oliver, his mother Ida, his wife Barbara and mother-in-law Monteen Brown. Attending the trial together with them are Solomon Cury, a friend of the family, and their lawyers Paul A. Macafee, Frank W. Rogers and Alexander W. Parker.

Exhibited in the hall is material evidence showing Powers to have been engaged in espionage. The evidence includes aerial photography instruments and radiotechnical means which had been aboard the Lockheed U-2 plane, a magnetic tape recorder, a parachute, a pressurized suit, a pistol, and a pin with lethal poison.

At 10:00 A.M. the presiding judge, Lt. Gen. of Justice Borisoglebsky, declares the session of the Military Collegium of the USSR Supreme Court opened and orders the commandant to have the defendant brought in.

The American spy-pilot is brought into the hall and takes his place in the dock.

The presiding judge announces that, in accordance with the Criminal Procedure Code of the Russian Federation, the trial will be conducted in Russian, with translation into English. For the benefit of the audience the proceedings are simultaneously translated into English, French, German and Spanish.

Attending the session as English interpreters of the court are B.E. Belitsky and I.A. Adamov. The court warns the interpreters of their responsibility for intentionally-incorrect translation.

In reply to questions from the presiding judge, defendant Francis G. Powers replies that he was born in 1929 in Burdine, Kentucky, USA. He is a professional pilot. Powers says that he received the text of the indictment in English last Wednesday and the decision to commit him for trial was announced to him.

The presiding judge then establishes who of the witnesses and experts called to the court are present at the session. The witnesses are invited to the table. They are drivers V.P. Surin and L.A. Chuzhakin, worker A.F. Chere-misin and disabled veteran of World War II P.E. Asabin, all of whom saw the U-2 plane when it was shot down by a rocket near Sverdlovsk and who apprehended the spy.

After the witnesses sign a written statement concerning responsibility for false testimony and are conducted to the witness room, the presiding judge calls in the experts: Prof. G.A. Istomin, D.Sc. (Tech.); Colonel N.A. Alexeyev, Colonel of the Engineers R.A. Andreyev; Colonel of the Engineers N.M. Burmistrov-Zuyev; Lieutenant Colonel of the Engineers Y.V. Tyufilin; Prof. V.I. Prozorovsky, Honored Scientist of the Russian Federation; and Lieutenant Colonel K.V. Voroshnikov.

The court warns the experts that their conclusions should be strictly in accordance with the circumstances of the case. The experts are warned that they are responsible before the law for submitting false conclusions.

In accordance with Article 277 of the Criminal Procedure Code of the Russian Federation, the presiding judge explains to Powers his rights under the law in court. The defendant is entitled to testify in English, to take part in the court proceedings, to put questions to witnesses, to make statements concerning testimony of witnesses, to put questions to experts for solution, to submit new evidence, to request new evidence and documents to be included in the case, to have a lawyer in court and to speak a last word at the end of the court proceedings.

Powers replied in the affirmative to a question as to whether or not he understood the rights granted him in court by law.

Then the members of the court, elected by the USSR Supreme Soviet on February 12, 1957, are announced.

Neither the Procurator General, the lawyer, nor the defendant challenge the composition of the court as a whole or any members of the court. The defendant Powers does not challenge the Procurator or experts, nor does he reject his counsel.

After the presiding judge establishes that the Procurator General, the lawyer and the defendant have no statements or requests to make in connection with the preliminary proceedings, the court commences with the judicial inquiry.

The secretary of the court, Major of Administrative Service Afanasyev, reads the indictment on the criminal case of Francis Gary Powers, accused of committing a crime falling under Article 2 of the Law of the USSR. "On Criminal Responsibility for State Crimes." (The full text of the indictment was published in the press on August 10, 1960. See our Press Release No. 393 of August 10.)

The indictment cites Powers' words that he admits his guilt on the substance of the accusation. He testified, in particular:

"I plead guilty to the fact that I have flown over Soviet territory and over the points indicated on the chart, turned on and off the necessary controls of the special equipment mounted aboard my plane. This, I believe, was done with the aim of collecting intelligence information about the Soviet Union."

On the basis of the data cited in the indictment, Francis Gary Powers, a citizen of the United States, born in 1929, in the city of Burdine, Kentucky, a

college graduate, pilot of the special reconnaissance detachment 10-10 of the Central Intelligence Agency of the United States, is charged with having been recruited in 1956 by the Central Intelligence Agency of the United States, carrying on active espionage work against the Soviet Union--which is an expression of the aggressive policy pursued by the United States Government.

On May 1, 1960, Powers, with the knowledge of the United States Government, on an assignment from the American Intelligence, which in practice implements the abovementioned aggressive policy, had on a specially equipped Lockheed U-2 reconnaissance plane invaded the airspace of the USSR for the purpose of collecting strategic information on the location of rocket bases, airfields, radar network and other highly important defense and industrial installations of the USSR, that is, information constituting a state and military secret of the Soviet Union, and, having flown more than 2,000 kilometers inside Soviet territory photographed, by means of special equipment, a number of the abovementioned installations and recorded signals of radar stations; he also collected other espionage data.

The crime committed by defendant Francis Gary Powers falls under Article 2 of the USSR Law "On Criminal Responsibility for State Crimes."

After the indictment was read out, the presiding judge, Lt. Gen. of Justice Borisoglebsky, asked the defendant:

"Defendant Powers, do you understand the charge brought against you?"

POWERS: Yes.

PRESIDING JUDGE: Do you plead guilty of the charge?

POWERS: Yes, I do.

The court, after a consultation on the spot, decides to begin the hearing of the case with questioning the defendant, then questioning the witnesses and hearing the experts' conclusions.

After a brief interval the trial was resumed and the questioning of the defendant begun.

The Procurator General of the USSR, R.A. Rudenko, put questions to the defendant regarding the preparation and carrying out of the spy flight over the territory of the USSR by Powers.

RUDENKO: Defendant Powers, when did you get the assignment to fly over the territory of the Soviet Union?

POWERS: On the morning of May 1.

RUDENKO: From whom did you get that assignment?

POWERS: From the commander of my detachment.

RUDENKO: Who is the commander of this detachment?

POWERS: Colonel Shelton.

RUDENKO: Where is this detachment located?

POWERS: It is located in Adana, Turkey.

RUDENKO: Where did you get the assignment to fly to the Soviet Union?

POWERS: In Peshawar, Pakistan.

RUDENKO: When did you arrive in Peshawar?

POWERS: I don't remember the exact date. It was a few days before the flight, four or five days.

RUDENKO: That means in the latter part of April?

POWERS: Yes, in the latter part of April.

RUDENKO: With whom did you arrive in Peshawar?

Powers replied that he arrived on a cargo aircraft with some 20 people and the commanding officer Shelton and admitted that the plane was only to deliver the people to the airfield (a special trip in connection with preparations for the flight to the Soviet Union), that it took off for Peshawar (Pakistan) from Adana (Turkey) with but one landing for refueling somewhere along the route. It might have been Bahrain. The airfield was serviced by British personnel but he couldn't say whether or not it was a British base. To Rudenko's question, he replied that the U-2 plane had been brought to the Peshawar airfield the night before, April 30.

In reply to questions put by the Procurator, defendant Powers stated that the U-2 plane which he had flown was a special high-altitude aircraft prepared and designed to fly at very high altitudes. He tried to evade answering directly whether or not it was a reconnaissance military plane, but finally was compelled to admit that the plane belonged to the 10-10 detachment.

RUDENKO: Was this a military detachment?

POWERS: Yes, it was commanded by military personnel, but the main part of the personnel were civilians.

Powers confessed that the plane on which he flew was without identification marks.

The procurator turned to questions concerning the flight of the U.S. spy plane over the territory of the USSR. Defendant Powers said that he presently did not remember the exact information about the flight, but he did remember that he flew directly from the Peshawar airfield to the Soviet border, which he crossed half an hour after take-off. The maximum height of the flight was 68,000 feet (more than 20 kilometers).

RUDENKO: What did Colonel Shelton tell you about the safety of flights at such an altitude?

POWERS: I was told that flying at such an altitude over the Soviet Union was absolutely safe and that anti-aircraft means would not reach me.

Powers went on to say that he had been instructed to fly at the designated altitude and along the designated route, turning switches on and off at designated points.

At the request of the Procurator General, Powers was shown his flight map. The defendant declared that all the route points were marked on this map. One of them was east of the Aral Sea, another, to the northwest of Chelyabinsk. One point was on the way to the city of Kirov, and another--beyond it. There were points not far from Archangel, near the island of Solo, close to Kongoma, at Kandalaksha, and north and south of Murmansk.

RUDENKO: What was the destination of the flight?

POWERS: I was to land at Bodoe (Norway).

It was also established during the questioning that Powers had a reserve route in case of an accident. Routes were also mapped out to the nearest airfields and the shortest way to them was indicated. The defendant said that he had been told that in case of an accident any airfield outside the Soviet Union would be better than one inside the Soviet Union. In case of an accident he could land at an airfield in Sweden or in Finland. He was told that a representative of the detachment would meet him in Bodoe.

RUDENKO: By what means were you to come into contact with the Bodoe base in Norway before landing?

POWERS: I would have called on the radio and given my call signal which was Puppy-68 and ask for landing instructions.

During the interrogation it grew clear that Powers followed the mapped-out route almost exactly.

RUDENKO: How did you feel at the time of the flight?

POWERS: I felt all right, but I was nervous. I was afraid.

RUDENKO: What were you afraid of?

POWERS: I was afraid that I would not be able to land in the Soviet Union. This was something I wouldn't want to do every day.

The State Prosecutor then asked a number of questions concerning the way the pilot used the special intelligence aerial photography installations. Powers tried to pretend that he had no idea of their designation. However, as a result of additional questions by the Procurator he was compelled to admit the real, spying designation of the installations and admitted the intelligence purpose of the flight over the Soviet Union.

RUDENKO: You stated here, and during the preliminary interrogation as well, that you turned switches on and off at definite points.

POWERS: I did what I was told to.

RUDENKO: Not knowing about the special installations?

POWERS: I never saw those special installations.

RUDENKO: You could have just as well pressed a lever and released an atomic bomb?

POWERS: It could be done, only this type of plane doesn't have a bomb carriage.

These words uttered by Powers with surprising coolness and evoked indignation in the hall.

During the interrogation it was confirmed that the bosses who sent Powers off on a spy flight provided their hireling with all the equipment required in case of an accident and with all the necessary instructions. The spy pilot had been ordered not only to destroy the plane in case of a forced landing on the territory of the USSR, but himself also, to use the deadly poison carefully prepared by the same notorious Mr. Shelton, whose identity as the trial goes on is becoming more clear as a zealous executor of the Pentagon's will.

The questioning grew sharper and sharper. Rudenko, the State Prosecutor, posed precise, clear-cut questions, helping the court to fully establish the guilt of Powers and those who stood behind him--who hypocritically spoke about peace while in deed proclaiming espionage a state policy.

Replying to a question by the Procurator, Powers explained to the court under what circumstances he made a contract with the Central Intelligence Agency. When he was serving in the Army Air Force, some people offered him a well-paid job. Powers was told that he would have to go through appropriate training, that he would be separated from his family and would stay overseas for about 18 months. The defendant said that he liked the idea of flying for big pay. He said that he was ready to be separated from his family and to leave home. He was told what was required of him.

RUDENKO: When did this happen?

POWERS: In 1956.

Powers later was told that he would receive \$2,500 a month and that his main task was to make flights along the borders of the Soviet Union with the object of picking up all radio or radar information. He was also told that there might be other assignments as well.

Powers went on to tell the court that the military base in Adana, where the 10-10 detachment was stationed, was commanded by an American. The base was visited by General White and General Evers (commanding officer of the U.S. Air Force in Europe) by congressmen and even Cardinal Spellman.

The military command adopted special measures to hide the real nature of "work" of the detachment in which Powers served. In particular, the accused had two certificates, one issued by the U.S. Defense Department, and the other, in the name of the National Aeronautics and Space Administration (NASA). Powers admitted that these certificates gave him the right to fly military aircraft and simultaneously to screen the intelligence work of the detachment.

The morning session ended at this point.

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At the afternoon session of August 17, the State Prosecutor continued questioning the American spy. The true picture of the way the spy flight of the American military plane had been prepared and carried out became increasingly clear to the audience in the hall, as did the fact that the U.S. ruling circles were exerting every effort to increase international tensions, that the spy flights of American planes over Soviet territory were the calculated policy of the U.S. Government which was violating the standards of international law and the lofty principles of the UN Charter under which the signature of the United States of America is also affixed.

Powers confessed that prior to his ill-fated invasion into the air space of the USSR he really had completed several flights along the southern borders of the Soviet Union with special equipment aboard his plane. Those who sent Powers on these missions were most of all interested in the Black Sea area and, as Powers stated, in rocket launchings. The defendant said that during these flights too he turned certain switches in the plane on and off.

RUDESKO: The same way you turned them on and off at the time of the flight on May 1?

POWERS: Yes, exactly the same way.

The State Prosecutor asked him whether other pilots of the 10-10 detachment made flights of this kind. Powers replied that assignments were distributed quite evenly among the pilots.

Powers' replies revealed with all obviousness the unseemly role of the Governments of Turkey, Pakistan, Iran, Norway and the Federal Republic of Germany which obsequiously offered the territories of their countries for the implementation of the aggressive plans of the United States. Powers enumerated the airfields he had landed on in a reconnaissance plane and those which were named as reserve airfields. The State Prosecutor had no more questions to ask in the meantime.

The defendant was asked several questions by his defense counsel. They concerned Powers' personal history, his family, property status, etc. The lawyer then turned to Powers' work in the Central Intelligence Agency.

DEFENSE COUNSEL GRINOV: Why, according to your words, do you now regret prolonging the contract?

POWERS: Because the situation I'm in at present isn't very good. I heard that my flight, unfortunately, helped wreck the Summit Meeting. The result was that international tensions increased. I'm sincerely sorry that I had something to do with this.

This notable admission by a repenting American spy unmasks the U.S. imperialists, shows them up before everyone as enemies of peace and the friendship of nations, as adventurers criminally violating the rules of international law. It is not accidental that the Soviet people, that world public opinion evaluated these provocative actions of the aggressors as a direct threat to universal peace.

The defense counsel then asked Powers how the Soviet people treated him when he was arrested and afterward.

POWERS: Far better than I expected. Apparently they didn't take me for a foreigner when they first saw me. When I landed, they helped me flatten the parachute and remove my helmet. But after realizing that they were dealing with a foreigner, they arrested me. As I was driven to the local authorities, I asked for a drink on the way. They stopped the car and gave me a drink of water. I was also offered cigarettes. When they brought me to the place-- I don't know the name of the office where the authorities were--I complained about a headache because I bumped my head when my plane was shot down. A doctor was called in and he gave me the necessary attention. I was later taken away to Sverdlovsk, and from there here. I was treated very well all this time.

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brought against him. The court is making a detailed investigation of all the circumstances of the crime committed by Powers. It is reconstructing the true picture of the way the American imperialists prepared and carried out this aggressive act against the Soviet Union. The progress of the court proceedings refutes with all obviousness the attempts of the reactionary bourgeois press to whitewash the U.S. Government of the responsibility for Powers' criminal actions, to slur over the essence of the case, drown the voice of the court with anti-Soviet cries, and to deceive its own people. The Powers case rises before all honest people of the world as a stern indictment against the imperialist warmongers.

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EMBASSY OF THE UNION OF SOVIET SOCIALIST REPUBLICS

Press Department

1706 18th Street, N.W.

~~No. 412~~

Washington 9, D. C.

~~August 20, 1960~~

THE POWERS TRIAL--II

In the court proceedings which took place on August 18, after the questioning by the defense counsel, Prosecutor General of the USSR Roman A. Rudenko asked the defendant some additional questions. A number of questions were put to the defendant by Lieutenant General of the Judiciary Victor V. Borisoglebsky, Chairman of the Military Collegium of the Supreme Court of the USSR and Members of the Court (People's Assessors) Major General of the Air Force A.I. Zakharov and Major General of the Artillery D.Z. Vorobyev.

CHAIRMAN OF THE COURT V.V. BORISOGLEBSKI: Defendant Powers, are you repentant for what you have done?

POWERS: Yes, very much so.

The court then heard the testimony of the witnesses.

The trial is continuing to evoke tremendous interest on the part of the Soviet public and representatives of other states. As on the previous evening, the workers of enterprises of the capital, representatives of the intelligentsia, diplomats, public figures and jurists of many lands are present in the Hall of Columns of the Trade Union House, where the sessions of the court are taking place. The places for representatives of the Soviet and foreign press are all occupied.

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August 20, 1960

THE POWERS TRIAL--III

At the morning session of the Military Collegium of the Supreme Court, held on August 18, in connection with the Powers case, Defense Counsel Mikhail Grinyov continued to question the defendant. The lawyer wanted to know if Powers, when he signed his contract with the Central Intelligence Agency, knew that he would have to fly over Soviet territory. The defendant replied that he did not know this and that he learned of it for the first time six or seven months after the contract was signed. Powers said that it was then that he was told that flights over the territory of the USSR are part of "our duties."

In reply to a question by Grinyov as to what Colonel Shelton had told Powers concretely about the safety of flights over the USSR, Powers testified that he had been told such flights were absolutely safe. The only thing that could happen was the technical failing of the plane.

Grinyov asked Powers whether he had ever before been given a poisoned pin, to which Powers replied that this was the first time. In reply to Grinyov's question as to whether Colonel Shelton had shown him how to use the pin, Powers answered in the affirmative. With this Grinyov ended his questioning of the defendant.

Then the State Prosecutor, the Prosecutor General of the USSR Roman A. Rudenko, continued to question the defendant.

In reply to the question as to who had given him permission to land his U-2 plane in Peshawar in 1959, Powers replied that he had been given this permission by the local authorities. The Prosecutor declared that the Pakistani authorities knew about Powers' flight in 1959, to which Powers replied that "I suppose such was the case."

Defendant Powers testified that a special regime had been established at the base of the 10-10 detachment in Peshawar in 1959 and 1960. "We were not permitted to leave the base," Powers said. The reason for this, he thought, was that the U-2 planes and the apparatus they carried were secret.

In reply to the Prosecutor General's next question Powers admitted that by flying over the airspace of Afghanistan he had violated the sovereignty of that state. From Powers' testimony it was evident that he did not have permission from the states over whose territories he flew for the flights he made over them. Powers stated that he assumed no permission had been received for the flight over the territory of the USSR. Powers said that this is confirmed by the fact that he was now on trial.

Replying to the questions of Prosecutor General Rudenko, Powers testified that he crossed the border of the Soviet Union at an altitude of 66,000 feet, and that as he continued his flight he rose to an altitude of 68,000 feet. He said that his plane was shot down exactly at that altitude.

The Prosecutor General asked the court to make public the report of the command of the military unit which brought down the U-2 plane on May 1. The presiding judge, after asking the defense counsel if he had any objections, permitted the report to be made public. The report of unit commander Major Voronov states that he fulfilled the order of the command to destroy the U-2 plane which had made its way within the limits of the Soviet Union. The report also states that the spy plane was brought down by a single rocket.

Explaining why he had not maintained radio contact with the bases of Incirlik or Peshawar on May 1, Powers said that the radio apparatus installed in his plane did not ensure contact at a distance of more than 300-400 miles. The State Prosecutor then asked if the lack of radio contact was not attributable to the secrecy of this flight. Powers replied: "Even if I had been able to maintain radio contact, based on the fact that the bases of the State of the possibility of my plane being spotted." At the request of the State

Prosecutor the court again showed Powers a chart of his flight. The Prosecutor General asked why the routes on this map were indicated in red and blue. Powers replied that the red indicated the route to which he had to stick with maximum exactness, and that the general direction of the flight was indicated in blue. In reply to a question put by the Prosecutor General, Powers admitted that the route indicated in red was of special interest to the people who had given him the chart; and inasmuch as he worked for the Central Intelligence Agency, this route interested the people of this agency. Testifying regarding the route on the map from Kandalaksha to Bodoe, which was indicated in brown pencil--that is, the route he would have had to take in case of unforeseen circumstances--Powers said that in this case he would have crossed the territories of the Soviet Union, Finland, Sweden and Norway.

The Prosecutor General asked Powers why Colonel Shelton had given him a piece of black cloth before he took off. Powers tried to evade this question and said he did not know. Trying to get himself out of the situation, he said it was not a password.

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Press Department

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August 20, 1960

THE POWERS TRIAL--IV

The trial of the criminal case of Francis G. Powers, the American spy-pilot, continued on August 18 in the Hall of Columns of the House of the Trade Unions in Moscow.

At the beginning of the morning session the defendant replied to questions posed by his defense counsel, Mikhail Grinyov. Procurator General of the USSR Roman A. Rudenko, the State Prosecutor, then asked the defendant a number of questions to specify certain points. The defendant then answered questions asked by the court--the presiding judge Victor V. Borisoglebsky, Lieutenant General of Justice, Chairman of the Military Collegium of the USSR Supreme Court; and People's Assessors A.I. Zakharov, Major General in the Air Force, and D.Z. Vorobyov, Major General in the Artillery.

The court listened to evidence given by witnesses P.E. Asabin, A.F. Cheremisin, I.A. Chuzhakin, and V.P. Surin.

The court listened to the findings of the experts--Colonel N.A. Alexeyev, Lieutenant Colonel of the Engineers Y.V. Tyufilin, Professor G.A. Istomin, Doctor of Science (Technology), and Colonel of the Engineers R.A. Andreyev.

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At the afternoon session on August 18 the Military Collegium of the USSR Supreme Court listened to the findings of the experts--Lieutenant Colonel of the Engineers K.V. Voroshilov, a senior researcher; Colonel of the Engineers N.M. Burmistrov-Zuyev; Professor V.I. Prozorovsky, Doctor of Science (Medicine) and Honored Scientist; and Colonel I.I. Zhdanov.

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Press Department

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THE POWERS TRIAL--V

Specifying the countries he had crossed in 1958 while flying the U-2 plane from Incirlik base (Turkey) to Bodde (Norway) Powers, in reply to the Prosecutor's question, named a part of Turkey, Greece, Italy. He believed that his route went further "perhaps across France or Switzerland." After that he flew across West Germany and "perhaps Denmark," but the defendant was not sure. His flight ended in Norway.

Then Powers was shown four topographic maps of the Soviet Union (pieces had been cut out of two) which had been taken away from him when he was searched. No such cuts were made in two other maps which were found in the wreckage of the downed plane.

The questioning of the defendant revealed that the places cut out from the maps carried indications that these maps were classified secret. The insignia "United States Air Force" was also cut out. Powers admitted that these cuts were made to conceal the evidence as to whom these maps belonged and where they were made. He said that the topographic maps shown him were a part of his emergency kit, and, in the case of a forced landing, were to help him find his way out of the Soviet Union. The Prosecutor asked whether money and gold coins had been given Powers to bribe Soviet people. The defendant replied that all this was meant to help him get out of the country by any means and, if possible, to resort to bribery. When the Prosecutor said that the attempts to bribe Soviet people would be fruitless, Powers replied, "I think so too." (Laughter in the hall.)

The examination of Defendant Powers was taken up by the presiding judge, Borisoglebsky. He asked Powers what the main task of his May 1 flight was. Powers said that he was to follow the route given to him and to switch on instruments. Presumably, he said, this was done for intelligence purposes. The presiding judge asked Powers whether he realized that by intruding into the airspace of the Soviet Union he was violating the sovereignty of the USSR. Powers replied, "Yes, I did." When asked by the presiding judge whether he thought he had brought good or ill to his country by his flight on May 1, Powers said that he had done great harm. The presiding judge then asked if Powers thought that his flight could have lead to a military conflict. Powers replied: "Those who sent me should have thought about that."

In reply to another question of the presiding judge, Powers said that he greatly regretted his action.

Then Powers replied to questions put to him by the People's Assessors. In reply to Maj. Gen. Vorobyov's question Powers confirmed that the equipment installed in his plane was for intelligence purposes, but that he did not know exactly its type or scope. Powers testified that he was instructed by the commander of the 10-10 detachment Colonel Shelton.

After that the court started questioning the witnesses. Witness Pyotr Asabin testified that about 11 o'clock in the morning of May 1 of this year he was at home and heard a loud noise which sounded like that made by a jet plane. This was followed by an explosion. When Asabin climbed up on the roof, he saw a pillar of dust some five kilometers away from the village. At the same time he saw a parachutist in the sky. Thinking that some accident had occurred and that the pilot was in trouble and needed help, Asabin ran over to where the parachutist would be landing. Then Asabin stated that he and Witnesses Surin, Cheremisin and Chuzhakin, who ran up to the parachutist, helped him up on his feet. They realized that he was a foreigner after asking him what had happened and hearing him reply in a strange language and seeing him shaking his head. The parachutist wore a white-topped helmet which bore the number "29." Asabin testified that the parachutist had a long-barrel pistol and a Bowie knife on his belt. These weapons were taken from him.

Asabin said that he remembers this parachutist quite well. "He is more than medium size, with

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at the temples. There was a mole on the left side of his neck. Asabin testified that the detained parachutist and Defendant Powers now on the stand were one and the same person.

The presiding judge asked whether the defendant had any questions to ask the witness. Powers replied that he had not. Asked by the presiding judge whether he wanted to make any remarks concerning the testimony of the witness, Powers said that the testimony was correct. He also added that he would like to thank the witness for what he had done for him when detained. (Stir in the hall.)

After the other witnesses had finished testifying, Defendant Powers said he wished to thank everyone who helped him on that day. "This is my first chance to do this," he added.

The court next turned to the examination of the experts. Expert Col. Nikolai Alexeyev informed the court that the commission of experts which had studied the documents and the flight map had a large number of documents at its disposal and these were divided into three groups. The first included those establishing Powers' identity. Among them were Powers' identity certificate endorsed by the seal of the United States Defense Department, a medical certificate issued in Powers' name and establishing that he served with the United States Air Force, and two licenses for flying. This group of documents confirmed that Powers belonged to the U.S. Air Force. The second group of documents referred to the flight on May 1, 1960. They included, specifically, separate parts of the flight map on which the route from the Peshawar base to Norway, a total of 6,100 kilometers (of which 4,700 were over the territory of the Soviet Union) was marked. Points in the Soviet Union over which Powers was to switch on the intelligence equipment were marked along the route on the chart. The flight was made along a course plotted in advance for an average flying speed of 750 kilometers per hour.

The same group of documents included the opening pages of the flight book with the entries made during the flight; a cutting from the synoptic chart with a weather report along the route, which confirmed that the flight had been thoroughly prepared; and four sheets of spare aeronavigational charts of the U.S. Air Force which included the territory of Europe and the USSR and which were to be used in case of deviation from the route or a forced landing.

The third group of documents included flying documentation used in any flight.

The commission of experts arrived at the conclusion that the flight of the American plane over the territory of the Soviet Union on May 1, 1960, was made deliberately and had been planned in advance. During the flight Powers knew his bearings and flew along the route mapped out in advance. While flying over the Soviet Union, Powers marked down intelligence data on the map.

Expert Lt.Col. of the Engineers Yuri Tyufilin said that a commission had been set up which was charged with establishing whether or not the downed U-2 aircraft had identification marks and the wreckage of the U-2 plane had been submitted to the commission for investigation. The officer said that the plane wreckage, particularly the wings and fin, had a well-preserved coated surface which permitted the experts to establish whether or not the aircraft had identification marks. By gradually washing off the coats of paint, it was established that the U-2 plane downed on May 1 did not have identification marks and that they had never been made on it.

Defendant Powers tried to cast doubt on the findings of the authoritative experts commission and claimed that he saw identification marks on all the U-2 planes based at the Incirlik airfield. He said he could not agree with the commission's findings. The presiding judge told Powers that he had the right to agree or disagree, but that the experts' investigation had shown that the U-2 plane which Powers flew on May 1 did not have identification marks.

Professor G.A. Istomin, Doctor of Science (Engineering), informed the court of the findings of the commission of experts on the aerial photographic equipment found on the downed Lockheed U-2. He said that separate damaged parts of the aerial photo camera, film cases and film were placed before the commission of experts. It was established, Istomin said, that the camera was a special wide-angle one with telephot lens of the "73-B" type. This name is on several trade-mark plates and on the body of the camera. There is also an inscription proving that the camera was made in the United States. The "73-B" model is an intelligence aerial camera as regards its tactical and technical specifications. Istomin said. This camera is designed to photograph vast areas in the course of one flight. It ensures multi-course photography.

During the May 1 flight the photography was done through seven hatches, covering an area across the almost 200 kilometer course. The stock of film, Istomin said, permitted the taking of some 4,000 dual pictures, i.e., taking pictures of a course of 3,500 kilometers. The expert stressed that the long focus lens could take relatively large-scale photos from a high altitude, meeting the requirements of aerial photography intelligence. Professor Istomin noted that the scale of the aerial photos made on May 1 over the territory of the Soviet Union (220-230 meters in one centimeter) was large enough to determine the purpose of most of the industrial and military objectives. It was found that photography was carried on along a course which began west of Tashkent and moved toward Sverdlovsk. The course of photography coincides with the route plotted on the flight map. The deciphered pictures, taken from an altitude of some 21,000 meters, yield various intelligence information. They show large populated localities, industrial and military objectives, airfields, anti-aircraft facilities and depots. The photographs made during the flight of the U-2 plane, Istomin pointed out, could be utilized for intelligence purposes and also for specification and compilation of topographic charts. The investigation of the wreckage of the U-2 aircraft and the materials of the aerial photography lead to the conclusion as to the intelligence nature of the equipment of the U-2 plane and the intelligence purpose of its flight, Professor Istomin declared.

The expert findings on radiotechnical equipment submitted to the court by Expert Col. of the Engineers Nostislav Andreyev pointed out that all the radio-equipment banks had the letters "MP" (Military Procurement) and conventional numbers on them. These symbols showed that the equipment was the property of the U.S. Defense Department and was classified as top secret. In their findings the experts pointed out that the radiotechnical equipment installed in Powers' plane comprised a system of aircraft radio intelligence installations designated to gather information about radiotechnical facilities of the Soviet Union's anti-aircraft defense. This equipment was also intended to collect information about these facilities in different cities, large industrial and administrative centers, as well as data on various radar and radiotechnical stations of the Anti-Aircraft Defense Service. This data was taken down on ferromagnetic tape. Signals of ground radar stations of the Soviet Union's anti-aircraft defense system were recorded this way.

At the end of the morning session of the Military Collegium of the USSR Supreme Court hearing the criminal case of the American spy-pilot Powers, members of the defendant's family--his parents, Mrs. Powers, and the persons accompanying them--were given the opportunity to examine the material evidence convicting Powers of espionage and displayed in the court hall.

The Powers trial was resumed at 4:30 P.M. after a recess. The experts continued giving their testimony. Present in the hall were numerous representatives of the Soviet public, of the working people of Moscow, as well as foreign public leaders and prominent lawyers, Soviet and foreign journalists.

Lt.Col. Konstantin Voroshilov announced at the trial the experts' findings concerning the firearm and some other articles Powers carried on his May 1 flight. As a result of the expert investigation, it has been established that the pistol carried by Powers on May 1 is of the latest type of noiseless personal firearms. It has great penetrating power, normal range and accuracy. The trade marks and inscriptions on the pistol indicate that it was made in the United States. Lt. Col. Voroshilov declared that the noiseless pistol taken from Powers was, according to its features, neither a sporting, hunting, nor conventional personal weapon as carried by officers. Lt.Col. Voroshilov declared that the pistol was designed for noiseless firing at people. He went on to say that the 205 cartridges which Powers had could be used for shooting from the pistol. The cartridges were also of American origin.

It was also the task of the expert commission to examine the five ampules and the cylindrical tin container with two lids. Lt.Col. Voroshilov said that the ampules were used specially in cases when it was necessary for the flame to act for a comparatively long time on the object to be set afire and the cylindrical box represented a device for firing combined signal flares in daylight and in the dark of night.

Powers asked the court that he be shown an ampule and to read the instructions which had a drawing illustrating the method of using this ampule for lighting a campfire. Powers tried to assert that this was precisely the purpose of the ampule. He also asserted that the pistol was designed "strictly for hunting only." Powers had to agree with the reasonable remark by the presiding judge that it is difficult to hunt at an altitude of 68,000 feet.

Lt.Col. of the Engineers Nikolai Burmistrov-Zuyev reported to the court about the experts' findings concerning the demolition device--special blasting facilities--detected in the wreckage of the U-2 plane which was shot down near Sverdlovsk on May 1. He said that technical experts had established that the demolition device was installed near the cockpit. In its body was a blasting substance and detonating facilities. The device was operated from the cockpit. It has been established that the explosive substance was hexogen, phlegmatized with wax. The total weight of the explosive was about 1.4 kilograms. As noted by the expert, hexogen is a very powerful explosive used in the United States Army. The quantity of hexogen on the plane was quite enough to destroy the aircraft, instruments and equipment. The expert pointed out that in the entire history of aviation there was no instance of a demolition device having been installed in a civilian plane or bomber such as the one discovered in the U-2 plane. If demolition devices were installed, they were much weaker and designated only to wreck special instruments and individual important sections. The demolition device in the U-2 plane, Burmistrov-Zuyev stressed, was intended for the destruction of the whole plane.

Expert Professor Viktor Prozorovsky, prominent Soviet specialist in forensic medicine, informed the court of the results of the investigation of the poisoned pin with which Powers was supplied to commit suicide in case of capture. This is an ordinary straight pin of white metal with a head and a sharp point, 27 millimeters in length and 1 mm. in diameter. The pin has a complex structure. It is hollow inside all along its length, except the sharp point. A needle is inserted in the hollow. The needle can be extracted with the fingers by pulling the head of the pin with some force. Deep oblique grooves on the sharp end of the needle are completely covered with a layer of sticky thick substance of brownish color. In view of the very high toxicity and nature of the poison's action upon animals, and also of the large amount of this poison on the needle, the panel of forensic medicine experts considers that were a human being pricked with this needle, death would follow as quickly as in the case of animals. The same needle, Professor Prozorovsky said, was inserted subcutaneously into a white mouse. Twenty seconds later the mouse was dead from respiratory paralysis. Professor Prozorovsky stressed that an analysis has shown that the needle in the pin contained a substance which, considering its action on animals, toxic doses and physical properties, can be placed in the group of curare--the strongest and fastest of all known poisons. With the needle extracted from the poison pin the experts pricked an experimental dog in the upper third of the left hind leg. A minute after the pricking the dog lay down and then fell over on its side. At the same time it was noticed that the respiratory movements of the thorax weakened sharply, the tongue and visible mucous membranes assumed a bluish hue. Breathing stopped a minute and a half after the pricking. Three minutes after the pricking cardiac activity ceased and death followed.

The presiding judge announced that the court had decided to summon Col. Ivan Zhdanov as an expert. Col. Zhdanov said that a special commission had studied the maps, photos and other documents taken from the American plane after it crashed near Sverdlovsk. According to the commission's findings, Zhdanov said, the flight of the American pilot in the U-2 plane showed that it was deliberate and prepared in advance for intelligence purposes. Col. Zhdanov further said that the commission examined the circumstances and studied the confiscated documents which provided grounds for the conclusion that the American U-2 plane was a specially fitted out air spy for the purpose of crossing the border of the Soviet Union. The purpose of the flight was to reconnoiter military and industrial objectives in important areas of the Soviet Union. Expert Zhdanov said that among other things photographed were airfields and certain other objectives which constitute a state and military secret of the Soviet Union.

This rounded off the examination of the experts.

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THE POWERS TRIAL--VI

USSR Procurator General Rudenko's Speech for the Prosecution

Roman Rudenko, the Procurator General of the USSR, speaking today at the trial of the American spy-pilot Powers, said that this trial exposes the crimes committed not only by the defendant himself "but unmasks completely the criminal aggressive actions of the United States ruling quarters, the actual inspirers and organizers of the monstrous crimes directed against the peace and security of the peoples."

This trial has proved once again, the Prosecutor emphasized, that in the struggle against the forces of peace the reactionary forces of the United States do not scruple any means, criminally trample underfoot elementary rules of international law, violate the national sovereignty of other states in order to pursue the bankrupt "brinkmanship" policy. Rudenko qualified the intrusion by the American plane into the airspace of the USSR on May 1, 1960, as a "bandit aggressive raid" and a "dangerous provocation."

The peoples of the world branded with infamy these provocative, perfidious actions, which, as officially admitted by Eisenhower, Nixon and Herter, were carried out at the direct orders of the government and the United States President himself and are a calculated official policy of the United States. The Procurator General of the USSR declared that, as shown by subsequent events, the Government of the United States demonstrated before the entire world its real intention of making use of the provocative incursion of the U-2 plane into the Soviet airspace as a pretext for wrecking the Summit Meeting, plunging the world again into the state of "cold war," aggravating the tensions in international relations and putting a brake on the Great Powers' talks on disarmament. Rudenko emphasized that the exposure of Powers, one of the agents of the American intelligence service, was simultaneously an exposure of the reactionary ruling circles of the United States of America, which have made the national policy of their country a calculated policy of perfidy, provocation, espionage, a policy of "balancing on the brink of war" in the interests of the capitalist monopolies. The State Prosecutor noted that in their significance and the grave consequences they have already entailed, let alone those they could have entailed, the criminal actions of Powers go far beyond an ordinary felony.

The specific circumstances of this case cannot but lead any rational person to draw conclusions about the aggressive aims of the policy of the United States, the flouting by the American military of all universally recognized rules of international law, the criminal violation of the national sovereignty of other states. The State Prosecutor believes that the verdict in the Powers case will have a bearing on more than just the personal fate of the accused Powers. This verdict will again convincingly expose before the whole world the criminal aggressive policy of the ruling circles of the United States. It will play a role in the struggle of the peace forces against the forces of aggression going over to the factual circumstances of the case. The state prosecutor pointed out that the criminal actions committed by the accused Powers have been fully established by evidence impossible to refute or shake.

The charges against Powers are fully substantiated by numerous and objective pieces of evidence. This is realized by the accused Powers himself and he does not attempt to dispute his responsibility for the crimes he has committed. The prosecutor considers it established that Powers passed his espionage service at the 10-10 espionage detachment based at the Incirlik air base in Turkey.

The aggressive flight on May 1, 1960, was the last in Powers' espionage career which began way back in 1956, when Powers signed a secret contract with the Central Intelligence Agency of the United States. It was precisely from any crime in the interests of the American military who are in the service of monopoly capital.

Commenting on Powers training for the U-2 flights at the secret Las Vegas atomic range in the Nevada desert and his training in handling special reconnaissance equipment which was directed by representatives and pilots of the Lockheed Company manufacturing these planes, and also by military pilots, Rudenko declared: "Here is a patent example of criminal collusion between a large American capitalist company, an espionage-intelligence center and the military of the United States. Powers confessed that, in accordance with the contract he had concluded with the Central Intelligence Agency of the United States, he was a pilot of a special air detachment engaged in collecting information on Soviet radio stations and radar facilities, and also on the location of rocket sites.

Unquestionably, the Prosecutor emphasized, the aggressive penetration into the depth of the territory of the Soviet Union on May 1, 1960, was planned by the American intelligence service long in advance, since as early as August 1958 Powers received an assignment to transfer a U-2 plane from the Incirlik base to the Bodoe airfield in Norway, the very same airfield at which he was to complete his May 1 flight. Recalling Powers testimony that he had piloted a U-2 plane from an American air base in the area of Wiesbaden (West Germany) to a United States Air Force base at Plattsburg (New York), the Procurator General declared:

"This shows once more that American U-2 planes were based on the territory of West Germany and made flights from that territory. However, the revanchist Adenauer government did not even find it necessary to lodge a protest with the United States Government in this connection, as other NATO countries did. Furthermore, Chancellor Adenauer hastened to be the first to express approval of the criminal aggressive espionage flights of U-2 planes carrying out espionage flights, the State Prosecutor said, Powers and his masters shamelessly violated the sovereignty of other countries. U-2 planes flew over various countries that the United States of America had involved in its expansionist aggressive policy, lending their air bases for the landing and taking off of American military planes. With even greater impudence Powers and other American spies violated the sovereignty of neutral countries, Afghanistan in particular, taking advantage of their technical superiority for this purpose. The Procurator General, referring to Powers' testimony, revealed in court the nature of the espionage assignments for the collection of information on especially important defense and industrial establishments of the Soviet Union which Powers received before the May 1 flight.

The American intelligence, envisaging in advance the possibility of its agent falling, and desiring to prevent exposure, conditioned Powers to the idea of the inevitability of suicide in case he came down alive on Soviet territory.

"Here you see the savage, man-hating ethics of Mr. Dulles and Company, placing the dollar, this 'yellow devil,' higher than human life," the Prosecutor declared. Referring to Powers' testimony, material evidence and experts' findings, Rudenko deems it proved that Powers' Lockheed U-2 plane was a special military reconnaissance plane and was equipped with a special device by means of which the pilot could blow it up in the event of a forced landing on the territory of the USSR.

Powers pleaded guilty to having flown over Soviet territory and over the points indicated to him for his flight, to having switched on and off the corresponding controls of the special equipment installed in his plane. During the flight Powers also conducted visual observations and plotted the results on the flight chart. Rudenko exposed the falsehood of official American statements alleging that the shot-down U-2 plane was a civil aircraft and Powers a hired employee of the Lockheed Aircraft Corporation.

The Procurator General noted that, as established by Powers' testimony concerning the circumstances in which he was recruited for intelligence service, the organization and execution of aggressive spy flights into Soviet airspace were directly effected under the supervision of the Central Intelligence Agency of the United States with the knowledge and sanction of the government and President Eisenhower of the United States. The materials of this trial, the State Prosecutor declared, conclusively prove that the 10-10 detachment in which Powers served was a military intelligence body.

There is not the slightest doubt, Rudenko pointed out, that Powers' plane was a specially fitted out military aircraft sent into the airspace of the Soviet Union with aggressive espionage purposes, and that Powers, according to the duties of a military intelligence man and spy. "In fact this is nothing but

an espionage hybrid--an offspring of the Central Intelligence Agency and the military intelligence of the United States Air Force, covered up by the NASA (National Aeronautics and Space Administration) fig leaf," declared the Procurator General.

Rudenko considers that the espionage purposes of Powers' flight over Soviet territory have been confirmed by all the circumstances of the case, including the testimony of the accused and abundant material evidence. Rudenko emphasized that the statements by leading U.S. political figures in which they acknowledged before the whole world that espionage, the violation of the sovereignty of other states are national policy of the United States acquire procedural importance and play the role of judicial evidence in the light of the criminal Powers case.

This evidence, that is, the aforesaid statesmen's own statements, fully establish that the United States Government was the inspirer and organizer of the crimes committed by Powers and others like him.

In the opinion of the State Prosecutor there is every reason to regard the abovementioned statements as irrefutable evidence in the Powers case. Rudenko thoroughly analyzed the abundant material evidence. He said that as a result of careful study by experts, the prosecution is in possession of such objective irrefutable data, proving with new force the indictment preferred against the defendant Powers, the deliberate, aggressive nature and espionage purpose of his criminal mission. (Some 320,000 Soviet citizens and more than 20,000 foreigners had seen the material evidence on public display.)

Parts and units of the plane, Rudenko announced, scattered over an area of some 20 square kilometers, were found where the Lockheed U-2 plane fell, including the forepart of the fuselage with the central wing and the cockpit with equipment; the turbojet engine; and the fuselage tailpiece with the keel.

The State Prosecutor emphasized the special importance for refuting the false allegations, that the U-2 plane was a civil and not a military aircraft, of the fact that the radio technical intelligence equipment and some other units had markings showing that they belong to the United States Department of Defense. The material evidence establishes irrefutably, the Procurator General declared, that the flight of the American plane over Soviet territory was deliberate and planned in advance. As seen from the experts' conclusion, the map with the course of the flight and navigation calculations was prepared on the ground before the take-off. While in the air, the flier knew his position, systematically checked the overflight of the marked reference points and kept strictly to the preset route. During his flight over the territory of the USSR the flier plotted on the map intelligence information. The State Prosecutor regards the photo equipment of the aircraft and the immediate results of its photo reconnaissance as important evidence exposing the espionage purposes of Powers flight.

Technical findings by experts have established that the aerophotographical equipment installed in the U-2 plane is a special reconnaissance aerial camera for photographing zones on the surface from great altitudes. A special aerial film was designed for aerial survey of military and topographical objects.

The aerial photos taken contain intelligence information on industrial and military objectives in the USSR. Experts' findings on the tape recorder and its tape have shown that the signals recorded by Powers came from surface radar stations of the radar system ensuring the anti-aircraft defense of the Soviet Union.

Special equipment had been installed in Powers' aircraft to counteract and interfere with radar stations' interception and fighter planes aim.

As Rudenko further pointed out, the absence of long-distance radio communication facilities in the U-2 plane is further evidence that the sponsors of the aggressive intrusion took measures to conceal the piratical flight and to prevent its possible detection on Soviet territory. Were it not for the fact that the assignments received by Powers were of a criminal nature, Rudenko pointed out, his masters would not have supplied him with a deadly pin. The experts' conclusion was that a prick of this pin would kill a person instantaneously.

Analyzing the material evidence, the Prosecutor arrives at the conclusion that it fully establishes the crimes committed by Powers, finally exposes the inspirers and organizers of these crimes and the role of the United States Government in the espionage case. The Prosecutor General emphasized that evidence of great convicting force.

Powers personally carried out such especially dangerous criminal assignments which directly endangered universal peace and might have brought upon humanity a terrible disaster.

From the earth no one could tell whether or not this hostile plane, which uncereemoniously and impudently intruded into the Soviet airspace, was carrying a deadly load.

It is fully obvious, Rudenko declared, that in the conditions when certain states possess nuclear weapons and the means of delivering them to targets at almost lightning speed, the aggressive acts undertaken by the United States of America on May 1, 1960, against the Soviet Union are a crime endangering the security of all humanity and fraught with the gravest consequences for the whole world.

Rudenko declared that the Powers case exposes the criminal flouting of all universally recognized standards of international law by the American ruling quarters. An indisputable principle of international law, the State Prosecutor reminded, is the principle of full and exclusive sovereignty of a state over its territory, including the entire airspace above it.

The United States Government did not react to the repeated Soviet protests concerning illegal violation of the Soviet airspace by American planes. On the contrary, it continued its policy of "cold war," of gross violation of the sovereignty of other states. Rudenko further declared: "He who elevates crime to the level of calculated national policy deliberately runs the risk of being caught in the act of committing the crime, he who recognizes the 'from a position of strength policy' as the supreme principle of national policy--without a twinge of conscience disregards generally accepted international practice which has found expression in the lofty principles of international law, replaces law and justice by arbitrariness and lawlessness."

Examining the question of whether the intrusion of even a single plane into the airspace of another country is an act of aggression, the State Prosecutor declared: "There is every reason to draw the conclusion that the incursion by a foreign plane, like the incursion by the U-2 spy plane, undoubtedly constitutes an act of aggression." It is irrefutable, he added, that in present-day conditions the incursion by even a single plane into the airspace of any state threatens disastrous consequences.

Since the United States constantly keeps in the air squadrons of bombers on duty with atomic and hydrogen bombs, the appearance over Soviet territory of even a single reconnaissance plane can always portend an air attack. But even if squadrons of bombers do not immediately follow the reconnaissance plane, the flight of such a plane and its aerial photography and reconnaissance of radar facilities of the anti-aircraft defense of the USSR are integral elements of an air attack, Rudenko pointed out.

The Procurator General of the USSR exposed the attempts by leading United States statesmen to cover up their criminal aggressive actions by alleging peace-loving intentions. He revealed the hypocrisy of the President, the Vice-President and the Secretary of State of the United States who alleged that the U-2 flight and preceding incursions by United States planes into the airspace of the USSR had no aggressive purposes but were supposedly defensive measures.

Rudenko pointed out that the United States statesmen sought to revive the bankrupt fixed idea of the "communist menace" which had been refuted by many years of history.

Pakistan and Norway had not made available their territory to the American military.

The flying range of the U-2 plane would not have allowed it to operate directly from the territory of the United States. Rudenko declared: "If we are to assess all these circumstances in conformity with the doctrine of complicity, we should regard as Powers' accomplices those who organized and sponsored this crime and also those who as accomplices obviously facilitated the commission of the crime by making the means available and removing the obstacles." Recalling that the Soviet Government had more than once warned the governments of the countries linked by military blocs with the United States against the danger the installation of United States military bases on their territory creates for those countries, Rudenko said that this trial showed graphically how well founded these warnings issued by the Soviet Government were.

This trial fully reveals the aggressive man-hating policy of the ruling
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aims do not stop at any flouting of the sacred principles of international law to continue their dangerous "brinkmanship," he emphasized.

The State Prosecutor then gave a judicial assessment of the actions of which Powers is accused. Pointing out that Powers' guilt of espionage has been irrefutably proved from the viewpoint of the criminal legislation of the Soviet Union, he emphasized that in conformity with the United States legislation also, Powers' actions, had they been committed in the United States of America and directed against that country, would also have been regarded as espionage and entailed severe punishment.

Concluding his speech for the prosecution, Rudenko re-emphasized that grievous consequences to the peace and mankind might follow from Powers' criminal actions. No one could know what further aggressive actions Powers' plane portended and what deadly load it carried. Powers is no ordinary spy but a specially and carefully drilled criminal, Rudenko said. Powers effected his crimes by a means fraught with danger for many millions of people.

Addressing the judges, the Procurator General declared:

"May your verdict be a stern warning to those who carry through an aggressive policy, criminally flout the generally accepted standards of international law and national sovereignty, proclaim a policy of the 'cold war' and espionage their national policy. May this verdict also be a stern warning to all other Powers who, at the bidding of their masters, would seek to undermine the cause of peace, to encroach on the honor, dignity and integrity of the great Soviet Union."

Supporting fully the state prosecution in the Powers case, the Procurator General of the USSR said: "I have every reason to request the court to apply the supreme penalty to defendant Powers. But taking into account the sincere repentance of defendant Powers before the Soviet court of the crimes he committed, I do not insist on the application of the death penalty to him and ask the court to sentence defendant Powers to 15 years of detention."

* * *

EMBASSY OF THE UNION OF SOVIET SOCIALIST REPUBLICS

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THE POWERS TRIAL--VII

Defense Counsel Mikhail Grinyov's Speech

Mikhail Grinyov, the Soviet lawyer, stressed at the trial of Francis G. Powers, the American spy, his "exceptionally difficult, incomparably complicated position." He noted that the defense was further complicated by the demand of the State Prosecutor. "It is our civic and professional duty," the defense counsel said, "to help a defendant who wishes to avail himself of the right to defense which is guaranteed by the Constitution of the Soviet Union." He recalled that the Soviet procedural code not only granted the right to defense but also provided broad practical possibilities for exercising it.

The defense counsel said that he intended to set forth the arguments which gave him the right to ask, and the judges, perhaps, to meet his request and desist from the demand of the State Prosecutor. Since Powers had fully pleaded guilty, the defense counsel said that the defense challenged neither the facts of the charges preferred against Powers nor the appraisal of the crime given by the State Prosecutor. Addressing the court, the lawyer said that he could expect with full confidence that the judges would accept Powers' testimony as being truthful. The defense counsel stressed the international significance of the Powers case since, besides Powers, one of the executors of the perfidious and aggressive act against the Soviet Union, his masters ought to be in the dock and invisibly be present--the Central Intelligence Agency, headed by Allen Dulles, and the American military along with all the dark, aggressive forces which were trying to unleash a new world war.

The defense counsel urged the judges to pay attention to this circumstance which he believed would be of substantial importance in determining Powers' punishment. The defense counsel called the judges' attention to the fact that although Powers was the direct executor, the main culprits were those who sent him to commit this crime. In view of this the defense counsel expressed regret that Powers alone was in the dock. If not for this, Powers would have held a secondary place in the case and hence could undoubtedly expect a much milder punishment.

Without absolving the defendant from responsibility, the defense counsel stressed that Powers committed this crime not by his own volition but on orders of his bosses, and in doing so he was not connected with any of them except his direct superior, Colonel Shelton, and was not even informed by them about their plans when he was sent to commit this crime. Moreover, they deliberately misled him by giving him assurances that the flight over Soviet territory was absolutely safe and did not involve any risk.

The defense counsel expressed the conviction that in setting the punishment for Powers, the court would take into account his breach of Colonel Shelton's order to destroy the plane and commit suicide in case of a forced landing, abandonment of the plane or capture. The defense counsel also asked the court to take into account the Powers' truthful and frank testimony which he made during the preliminary investigation and court investigation. "I do not know," the defense counsel said, "whether Powers has told the whole truth, but it is doubtless that what he did say is true."

The defense counsel stressed that despite the fact that divulgence of state secrets was punished in the United States by ten years in jail, or a fine of 10,000 dollars, Powers nevertheless testified truthfully and thereby entered into sharp conflict with his employers.

Grinyov expressed the view that Powers' testimony, written in his own hand, and the evidence which he repeatedly gave of his own will were perhaps a result of some inner change which he began to experience from the moment he came into contact with the Soviet people and realized that much of what he had said in his testimony was in sharp contradiction to reality. At one point in his testimony, the defense

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court. Powers said that he had been received by his bosses and that he never expected to receive such good treatment in the Soviet Union. Referring to Article 33 of the Fundamental Criminal Code of the USSR, the defense counsel said that Powers' truthful testimony and conduct constituted circumstances mitigating his responsibility and furnished grounds for a milder attitude toward him.

Surveying Powers' life, the defense counsel showed what path had led him to the Central Intelligence Agency of the United States and made him a tool of the American Government's aggressive policy. Though he lacked adequate means, Powers' father sought to give his son a higher education, however Powers wanted to stand on his own feet sooner in order to free his father of the sacrifices he would have had to make if Powers continued studying, since it cost a great deal to acquire a higher education in the United States.

After graduating from college in 1950, Powers took a temporary job. Mass unemployment and his forthcoming Army service notice prevented him from finding a steady job. That was why Powers, anticipating his being called into the Army, volunteered for the United States Air Force in 1950 in order to avoid having to worry about the future.

Having finished his pilot-training course, Powers, as every American, was taught to worship the "almighty" dollar. The false American propaganda could not leave unaffected the character and upbringing of Powers, especially his ideas about the Soviet Union. It was not accidental that in the preliminary investigation Powers said that he had not expected such humane treatment in the USSR, he had expected to be tortured and humiliated.

Explaining to the court why Powers, who had no political aspirations and interests, could be drawn into such a big and dangerous political adventure, the defense counsel said that the answer to this lay in the existing living conditions in capitalist America with her constant mass unemployment and with the bourgeois morals prevailing there, typical features of which were strikingly expressed individualism and greed for money. Bourgeois morality believes it quite admissible to forgo honor, honesty and veracity for the sake of gain, for the sake of the dollar. Under the influence of this morality, the defense counsel said, Powers lived under the delusion that money does not smell, and he did not realize that the 2,500 dollars he was receiving from the Central Intelligence Agency did have a most evil odor, though he had some doubts the last time he extended his contract with the Central Intelligence Agency. The defense counsel expressed the hope that all of Powers' experiences had caused him to correctly understand the nature of the money he received under his contract, which undoubtedly would be a guarantee of his proper conduct in the future.

Turning to Powers' statement to the effect that perhaps the Soviet laws stipulated the death penalty irrespective of his testimony and behavior, the defense counsel stressed that in the Soviet Criminal Code there was no such formal approach to passing sentences on persons who were guilty of even grave crimes. The Soviet court, the defense counsel said, is a humane court where the motives of the formal requirements of law are not the only or main determining factors. When passing sentence, the Soviet court is never guided by considerations of cruelty or revenge. It always proceeds not only from the circumstances of the case, but takes into account the individuality of the defendant and the mitigating circumstances. The defense counsel believed that Powers' truthful and sincere testimony and his defendant's age--his thirty-first birthday occurred quite recently--were mitigating circumstances.

The defense counsel reminded the court that when Powers concluded his contract with the Central Intelligence Agency of the United States he did not know the real purpose of the task assigned to him. The defense counsel also called attention to Powers' doubts as to whether his previous actions in the Central Intelligence Agency were correct. Proceeding from all this, the defense counsel said that there was every reason for recognizing the presence of mitigating circumstances and for adopting a less severe sentence.

The defense counsel said that if he asked the court to mitigate Powers' punishment, he was proceeding not only from the reasons underlying the motives of the crime and the circumstances in which it was perpetrated, as well as Powers' conduct after his detention, but also from the strength, might and power of the Soviet Union and from the fact that the initiative and strength were presently in the hands of the peace forces, the camp of peace and socialism.

In conclusion the defense counsel said: "Your sentence will add one more example to the numerous instances of the humaneness of Soviet justice and will contrast sharply with the attitude toward man practiced by Powers' masters--the Central Intelligence Agency, the ruling reactionary forces of the United States of America."

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THE POWERS TRIAL--VIII

Powers' Last Plea

Addressing the court, Powers in his last plea said, "You have heard all the evidence of the case and you must decide what my punishment is to be. I realize that I have committed a grave crime and I realize that I must be punished for it.

"I ask the court to weigh all the evidence and take into consideration not only the fact that I committed the crime but also the circumstances which led me to do so. I also ask the court to take into consideration the fact that no secret information reached its destination. It all fell into the hands of the Soviet authorities.

"I realize the Russian people think of me as an enemy. But I would like to stress the fact that I do not feel nor have I ever felt any enmity whatsoever for the Russian people. I plead that the court judge me not as an enemy but as a human being who is not a personal enemy of the Russian people, who has never had any charges brought against him in any court, and who is deeply repentant. Thank you."

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THE POWERS TRIAL--IX

The Verdict

The presiding judge, Lieutenant General of Justice V.V. Borisoglebsky, Chairman of the Military Collegium of the USSR Supreme Court, announced the verdict of the court in the criminal case of the American spy-pilot Francis G. Powers.

The court established the guilt of defendant Francis G. Powers in having committed crimes covered by Article 2 of the Law of the USSR "On Criminal Responsibility for State Crimes," and sentenced him to 10 years of imprisonment with confinement in jail for the first three years. The verdict is final and cannot be appealed.

The announcement of the verdict was received by those present with deep satisfaction and very loud applause broke out in the hall. This brought the session of the Military Collegium of the USSR Supreme Court to a close.

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